



November 24, 2008

Ravalli County Commission
Attn: Carlotta Grandstaff
County Administration Building
Hamilton MT 59840

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Ravalli County Commissioners

*email this
to George Com
+ Judy Griffin
when
scanned*

RE: Member Entity: Stevensville Elementary School
Claimant: various
Claim Number: GCMMSG2008000021
Date of Event: 9/29/2008

Dear Ms. Grandstaff:

This letter is in response to a letter Stevensville School received from Ravalli County Public Health Nursing and a follow up telephone call I received from your County Attorney.

Judy Griffin, Ravalli County Public Health and WIC Director, authored this letter and submitted various invoices she has received for the rabies vaccine shipped to Marcus Daly Hospital recently. I have personally contacted Mr. Bartos, CEO of Marcus Daly Hospital. He advised that even though the County had requested the school be directly billed for the vaccine that he would not do so and would only order them if the County agreed to pay for the vaccine, since the County was ordering the vaccine.

Ms. Griffin further states that Public Health is holding some of the excess vaccine that was not needed due to over purchase. She states that the school is the owner of the vaccine and they are to make arrangements to take possession of the vaccine or give instructions on how the County is to disburse it.

Upon personally checking with Mr. Bartos and also the supplier of the vaccine I have learned that the school can neither be the owner of the vaccine nor take possession of it legally. The school is not a licensed medical professional and as such cannot order the vaccine, handle the vaccine, own the vaccine or take possession of it. Upon contacting the supplier of the vaccine I learned that they cautioned the County not to over order the vaccine as there is a national shortage. If there was excess vaccine ordered by the County the County would be responsible for the payment of it.

I am presently handling a claim on behalf of the school for 67 children that were in attendance at the school when the individual entered the school with the rabid bat and exposed the children to it. That individual led the teachers into a false sense of security who in turn allowed a presentation to the class. I am not handling the claim for any of the adults or the children not associated with the school.

Following the receipt of Ms. Griffin's letter I received a call from the Ravalli County Attorney making demand for full payment of the bill. Mr. Korn was led to believe that the school ordered or requested ordered all of the vaccine and promised payment of it. I have attempted to explain to Mr. Korn that the school did not order the vaccine and did not guarantee payment of the vaccine. The school did cooperate in the investigation conducted prior to the decision to have the vaccinations performed and agreed to hold the vaccinations at the school for convenience.

I have contacted the homeowner's carrier for the parent that brought the bat into the school. The liability determination between the school's administrator and the homeowner's insurance carrier is currently being review. I am unaware of any investigation performed by the homeowner's insurance carrier or offer to pay for the damages caused by their insured. The homeowner would be responsible for the vaccine used by all persons and not just the 67 children I am handling a claim for.

Each of the 67 students would require a shot of RIG and then five rabies vaccinations. 67 students times 5 units each is 335 units of vaccine @ \$126.12 each less 2% discount equals \$41,405.20. I will require a breakdown of the RIG used for each of the students as they would require less than the adults. I anticipate the cost to be approximately \$10,000.00 less than the total charges.

We have not refused to pay for any liability that the school may have in this incident. We cannot, however, accept liability for any child that was vaccinated that was not present at the school at the time the parent brought the bat to the school. I am not handling any of the claims for any of the adults vaccinated and you will need to work directly with the worker's compensation carrier handling those claims.

Sincerely,



Linda Coombs AIC CIC
Property Claim Supervisor
(800)635-3089, ext 115

Cc: Kent Kultgen, Supt of Stevensville School Dist
Shawn Bubb, MSGIA
✓George Korn, Ravalli County Attorney